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SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037

EXAMINER

PHAM, HUNG Q

ART UNIT PAPER NUMBER

2172

DATE MAILED: 07/17/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

23

# Office Action Summary

Application No.

09/489,134

Applicant(s)

BAER ET AL.

Examiner

HUNG Q PHAM

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1, 30-31, 60-61 and 90 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 1, 6, 8-14, 18, 20-21, 25-27, 30-31, 36, 38-44, 48, 50-51, 55-57, 60-61, 66, 68-74, 78, 80-81, 85-87 and 90-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hufford et al. [USP 5,877,445].**

Regarding to claims 1, 31 and 61, Hufford teaches a method for compiling a video segment, or an audio segment that have a sequence of data blocks to produce an audio or video output sequence having a duration corresponding to user-prescribe criteria (Col. 1, lines 15-30). As shown in Hufford FIG. 1 is a sequence generator 10, which includes a data storage library 14 comprised of data blocks corresponding to audio tracks, MIDI data, video clips, animation and a block sequence compiler 16. A user interface 17 enables a user to select a source segment 28 from the data storage library 14 and prescribe duration via a keyboard and/or mouse and a display monitor for displaying the list of sequence (Col. 3, lines 10-35; Col. 1, lines 31-34; Col. 10, lines 34-35). This technique indicates the step of *presenting* segments 28 as *a plurality of selectable objects to a user*, and *each* source segment 28 or *object associated with* an audio track, MIDI file, video clip as *a subset of* data storage library 14 as *the collection of content*. Hufford does not explicitly teach the step of *creating a hierarchical compilation of the content associated with each selected object, in response to selection by a user of one or more said objects*. However, as disclosed by Hufford, the block sequence compiler 16 receives the information, fetches blocks of audio and/or video source information from the data storage library 14 and, according to compilation criteria, compiles a list of potential audio and/or video sequences that are temporarily stored within a potential

block sequence list depository 19 (Col. 3, lines 35-57). As shown in FIG. 2, an audio and/or video source segment 28 is divided into five blocks: A, B, C, D, E, and F where the sequence ABCDEF corresponds to the audio and/or video source segment 28. After the process of marking as one of compilation criteria to indicate which blocks will be the beginning and which blocks will be the end for a potential audio or video output sequence as shown in FIG. 3 A-B (Col. 4, lines 13-50), the original audio or video sequence is rearranged into three potential sequences ABCDEFGJ, ABCDEFHE, CDEFGHIJ as shown in FIG. 5 (Col. 5, lines 15-19). The technique of branching, rearranging an audio or video segment into a number of specific units and owning by a higher level unit indicates the segment is a hierarchical segment, and the Hufford compilation technique is a hierarchical compilation. Thus, the Hufford technique as discussed above illustrates the step of *creating a hierarchical compilation of the content associated with each selected object, in response to selection by a user of one or more said objects*. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the step of creating a hierarchical compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 6, 36 and 66, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *the collection of content comprises hierarchically related data* (Col. 4, lines 13-50).

Regarding to claims 8, 38 and 68, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *displaying to the user the selected objects in a predetermined order such that the user may rearrange the order of the selected objects as desired through a user interface* (Col. 4, lines 13-50).

Regarding to claims 9, 39 and 69, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford does not discloses the step of *defining a maximum amount of allowable content per volume of content; creating a plurality of volumes of content from the selected content based upon the defined maximum* (Col. 4, lines 51-58).

Regarding to claims 10, 40 and 70, Hufford teaches all the claimed subject matters as discussed in claims 9, 39 and 69, Hufford further discloses the step of *displaying to the user the selected objects contained in each volume such that the user may selectably move an object from a first to a second of the volumes* (Col. 10, lines 34-35).

Regarding to claims 11, 41 and 71, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses the step of *receiving content input by a user and creating a selectable object from the content* (Col. 1, lines 31-34).

Regarding to claims 12, 42 and 72, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *the user may concurrently create a plurality of compilations* (FIG. 3B).

Regarding to claims 13, 43 and 73, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses the step: *after creation of the compilation, presenting the compilation to a user for modification* (FIG. 3B).

Regarding to claims 14, 44 and 74, Hufford teaches all the claimed subject matters as discussed in claims 13, 43 and 73, Hufford further discloses the step of *creating a copy of the compilation, applying changes input by a user to the copy, and creating a new compilation therefrom* (FIG. 3A-B).

Regarding to claims 18, 48 and 78, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses the step: *after creation of the compilation, of submitting the compilation to an approval process* (FIG. 3A).

Regarding to claims 20, 50 and 80, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses: *the presenting step further comprises the step of presenting all of the content comprising the collection of content to the user as a plurality of selectable objects* (Col. 10, lines 34-35).

Regarding to claims 21, 51 and 81, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses: *the presenting step further comprises the step of presenting less than all of the content comprising the collection of content to the user as a plurality of selectable objects* (FIG. 3A).

Regarding to claims 25, 55 and 85, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *a selectable object further comprises one of a container and a content entity* (Col. 3, line 58-Col. 4, line 12).

Regarding to claim 26, 56 and 86, Hufford teaches all the claimed subject matters as discussed in claim 25, 55 and 85, Hufford further discloses *in response to selection of the container to add to a compilation, adding the selected container and any containers or content entities it contains to the compilation* (Col. 3, line 58-Col. 4, line 12).

Regarding to claims 27, 57 and 87, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *the selectable objects further comprise titles of their associated subsets of content* (Col. 4, lines 13-50).

Regarding to claims 30, 60 and 90, Hufford teaches a method for compiling a video segment, or an audio segment that have a sequence of data blocks to produce an audio or video output sequence having a duration corresponding to user-prescribe criteria (Col. 1, lines 15-30). Hufford does not explicitly teach *in response to selection of*



*ones of the hierarchically related elements to include in a compilation, creating a compilation from the selected content entity.* However, as shown in Hufford FIG. 1 is a sequence generator 10, which includes a data storage library 14 comprised of data blocks corresponding to audio tracks, MIDI data, video clips, animation and a block sequence compiler 16. A user interface 17 enables a user to select a source segment 28 from the data storage library 14 and prescribe duration via a keyboard and/or mouse and a display monitor for displaying the list of sequence (Col. 3, lines 10-35; Col. 1, lines 31-34; Col. 10, lines 34-35). The block sequence compiler 16 receives the information, fetches blocks of audio and/or video source information from the data storage library 14 and, according to compilation criteria, compiles a list of potential audio and/or video sequences that are temporarily stored within a potential block sequence list depository 19 (Col. 3, lines 35-57). As shown in FIG. 2, an audio and/or video source segment 28 is divided into five blocks: A, B, C, D, E, and F where the sequence ABCDEF corresponds to the audio and/or video source segment 28. After the process of marking as one of compilation criteria to indicate which blocks will be the beginning and which blocks will be the end for a potential audio or video output sequence as shown in FIG. 3 A-B (Col. 4, lines 13-50), the original audio or video sequence is rearranged into three potential sequences ABCDEFGJ, ABCDEFHE, CDEFGHIJ as shown in FIG. 5 (Col. 5, lines 15-19). The technique of branching, rearranging an audio or video segment into a number of specific units and owning by a higher level unit indicates the segment is a hierarchical segment, and the Hufford compilation technique is a hierarchical compilation. Thus, the Hufford technique as discussed above illustrates *in response to*

*selection of ones of the hierarchically related elements to include in a hierarchical compilation, creating a compilation from the selected content entity.* Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the step of creating a hierarchical compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 91, 94 and 97, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses: *the compilation of content is created automatically in response to the user selecting said one or more of said objects* (Col. 4, lines 51-61).

Regarding to claims 92, 95 and 98, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *the compilation of content is created by recording in a computer-readable structure defining the compilation, for each selected object, a reference to the content entity associated with the selected object* (Col. 4, line 51-Col. 5, line 2; Col. 3, line 58-Col. 4, line 12).

Regarding to claims 93, 96 and 99, Hufford teaches all the claimed subject matters as discussed in claims 92, 95 and 98, Hufford further discloses *the computer-readable structure defining the compilation in a custom content outline (CCO) containing the references that correspond to the selected objects, and wherein said references are identifiers*

*of the content entities associated with the selected objects* (Col. 4, line 51-Col. 5, line 2; Col. 3, line 58-Col. 4, line 12).

4. **Claims 2-3, 29, 32-33, 59, 62-63 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hufford et al. [USP 5,877,445] in view of Pajak et al. [USP 5,388,196], ksinclair.com [Free E-books You Can Download].**

Regarding to claims 2, 32 and 62, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford further discloses *the collection of content comprises at least one of a collection of musical selection, and a video* (Hufford, Col. 1, lines 31-49). Hufford does not teach *the collection of content comprises at least one of a book, a document, an image*. Pajak teaches a method for representing a shared data object with related data bases in a hierarchy or multi-level mode and providing exclusivity or privacy to invoked changes to parts of the shared container type structured data object and related data bases also the capability of populating and querying the various objects within the container as well as within the data base (abstract). Pajak further discloses a hierarchy of containers and documents containing structured data objects such as tables, fields, graphics, and data attachments with related databases that are shared and easily accessed (Pajak, Col. 1, lines 55-65) as *the collection of content comprises at least one of a document, an image*. Ksinclair.com has a website for e-book. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including

document, image, and book as taught by Pajak and ksinclair.com in the collection of content in order to have a collaborative system of various kind of data.

Regarding to claims 3, 33 and 63, Hufford, Pajak, and ksinclair.com teaches all the claimed subject matters as discussed in claims 2, 32 and 62, ksinclair.com further discloses *subsets of content comprise one of a chapter and sections of a text document* (ksinclair.com).

Regarding to claims 29, 59 and 89, Hufford teaches all the claimed subject matters as discussed in claims 25, 55 and 85, Hufford further discloses *the collection of content comprises at least one of albums, and videos* (Hufford, Col. 1, lines 31-49). Hufford does not teach *the collection of content comprises at least one of books, images*. Pajak teaches a method for representing a shared data object with related data bases in a hierarchy or multi-level mode and providing exclusivity or privacy to invoked changes to parts of the shared container type structured data object and related data bases also the capability of populating and querying the various objects within the container as well as within the data base (abstract). Pajak further discloses a hierarchy of containers and documents containing structured data objects such as tables, fields, graphics, and data attachments with related databases that are shared and easily accessed (Pajak, Col. 1, lines 55-65) as *the collection of content comprises at least one of images*. Ksinclair.com has a website for e-book. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including

images books as taught by Pajak and ksinclair.com in the collection of content in order to have a collaborative system of various kinds of data.

**5. Claims 4-5, 7, 19, 28, 34-35, 37, 49, 58, 64-65, 67, 79 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hufford et al. [USP 5,959,627] in view of ksinclair.com [Free E-books You Can Download].**

Regarding to claims 4, 34 and 64, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but fails to disclose *each selectable object is associated with a cost, and further comprising the step of calculating a cost for the created compilation based upon the costs of the selected objects*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. Ksinclair.com further discloses *each selectable object is associated with a cost* but fails to disclose the step of *calculating a cost for the created compilation based upon the costs of the selected objects*. However, a cost for a created compilation is a service charge based on the cost of maintaining an object such as an e-book and could be calculated upon the cost of that e-book. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the cost of the object in order to maintain the system.

Regarding to claims 5, 35 and 65, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but fails to disclose the step of *determining a content count for the compilation and determining a cost for the compilation based upon the content count*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book has a table of content with a content count and a cost associated with the e-book (ksinclair.com). Thus the cost of the compilation for a particular chapter could be calculated based upon the content count. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the content count in order to maintain the system.

Regarding to claims 7, 37 and 67, Hufford teaches all the claimed subject matters as discussed in claims 6, 36 and 66, Hufford does not disclose *the collection of content comprises text documents and the subset of content associated with each selectable object comprises at least one of a chapter and a section*. Ksinclair.com has a website for e-book that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book has a table of content including chapters and sections (ksinclair.com). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including e-books

as selectable objects with associated chapters and sections in order collect and edit the content associated with an e-book as a selected object.

Regarding to claims 19, 49 and 79, Hufford teaches all the claimed subject matters as discussed in claims 18, 48 and 78, Hufford further discloses: *the approval process further comprises one of approving the compilation for publication; rejecting the compilation* (FIG. 3 & 6). Hufford does not teach the step of *receiving editorial comments as input from a second user, and providing the compilation and editorial comments to the creating user*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. A user could send an email to Ksinclair.com for advising the author (ksinclair.com). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the step of receiving editorial comments from a second user in order to have a more friendly-user system.

Regarding to claims 28, 58 and 88, Hufford teaches all the claimed subject matters as discussed in claims 25, 55 and 85, but fails to disclose *containers are at least one of a book, a volume, and a chapter*. Ksinclair.com has a website for e-book that presenting a plurality of selectable objects as e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book is a container that has a table of content including

other containers such as chapters and sections. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by including e-books as a container with associated containers such as chapters and sections in order collect and edit the content associated with an e-book as a selected object.

**6. Claims 15-17, 22-24, 45-47, 52-54, 75-77 and 82-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hufford et al. [USP 5,877,445] in view of Duwaer et al. [USP 5,959,627].**

Regarding to claims 15, 45 and 75, Hufford teaches all the claimed subject matters as discussed in claims 13, 43 and 73, Hufford fails to disclose *the user may select an object for removal from the compilation*. Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses *the user may select an object for removal from the compilation* (FIG. 5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the technique of removing an object from a compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 16, 46 and 76, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford fails to disclose *the user may select*



*to clear the compilation*. Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses *the user may select to clear the compilation* (FIG. 5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the technique of selecting to clear an object from a compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 17, 47 and 77, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford fails to disclose *the user may select to undo an operation affecting the compilation*. Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses *the user may select to undo an operation affecting the compilation* (FIG. 5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the technique of undoing an object from a compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 22, 52 and 82, Hufford teaches all the claimed subject matters as discussed in claims 21, 51 and 81, Hufford fails to disclose the step of *partitioning the collection of content into a plurality of categories, and presenting all content*

*objects belonging to a category to a user.* Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses the step of *partitioning the collection of content into a plurality of categories, and presenting all content objects belonging to a category to a user* (FIG. 5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the technique of partitioning an object from a compilation in order to compile a sequence of audio or video for future use.

Regarding to claims 23, 53 and 83, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford fails to disclose the step of *receiving search criteria input by the user; determining which of the subsets of the collection of content satisfy the search criteria; and presenting to the user a plurality of selectable objects corresponding to the subsets of content satisfying the search criteria.* Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses the step of *receiving search criteria input by the user; determining which of the subsets of the collection of content satisfy the search criteria; and presenting to the user a plurality of selectable objects corresponding to the subsets of content satisfying the search criteria* (Col. 4, lines 30-41). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method

by including the technique of searching an object in order to compile a sequence of audio or video for future use.

Regarding to claims 24, 54 and 84, Hufford teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Hufford fails to disclose *at least one of the subsets of content is associated with one or more prerequisite subsets of content and upon selection by the user of a selectable object associated with the at least one subset, also including the associated prerequisite subsets of content in the created compilation*. Duwaer teaches a method, computer program, and a system that allows for fast and carefree compiling in a database that may easily run into many hundreds of audio items (Col. 1, lines 25-29). Duwaer further discloses the step of *at least one of the subsets of content is associated with one or more prerequisite subsets of content and upon selection by the user of a selectable object associated with the at least one subset, also including the associated prerequisite subsets of content in the created compilation* (FIG. 5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Hufford method by including the technique of associating prerequisite subsets of content in order to compile a sequence of audio or video for future use.

### **Conclusion**

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See

MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Pham whose telephone number is 703-605 4242. The examiner can normally be reached on Monday-Friday, 7:00 Am - 3:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU, KIM YEN can be reached on 703-305 4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746 7239 for regular communications and 703-746 7238 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305 3900.

Examiner: Hung Pham  
July 5, 2003

  
SHAHID AL ALAM  
PATENT EXAMINER